

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:20-cr-00054

NEDELTCHO VLADIMIROV

RESPONSE OF THE UNITED STATES
TO DEFENDANT'S MOTION IN LIMINE NO. 5

The United States of America offers the following response to Defendant's Motion in Limine No. 5 (exclusion of content of electronic communications) (ECF 83).

Defendant seeks an order limiting the United States' "ability to discuss in opening and/or present any evidence of text messages and/or e-mails allegedly from the Defendant unless the same have been properly authenticated pursuant to Rule 901 of the Federal Rules of Evidence." ECF 83. As an initial matter, the United States does not intend to discuss the content on text messages and emails in its opening statement. The United States further understands that, generally, evidence must be properly authenticated before it can be entered into evidence. See Fed. R. Evid. 901(a). However, the United States asks that the requested motion be denied because such objections are better addressed when the specific situation arises at trial. A general

order prohibiting such a question is unnecessary and impractical without the circumstances leading to an objection to authenticity.

CONCLUSION

The United States respectfully requests that the Court deny Defendant's Motion in Limine No. 5 (exclusion of content of electronic communications) (ECF 83).

Respectfully submitted,

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CERTIFICATE OF SERVICE

It is hereby certified that the foregoing "RESPONSE OF THE UNITED STATES TO DEFENDANT'S MOTION IN LIMINE NO. 5," has been electronically filed and service has been made on opposing counsel by virtue of such electronic filing this 6th day of July, 2021 to:

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